

**REMARKS**

**I. Introduction**

Applicants would like to thank Examiner Cunningham for the indication of allowance of claim 14, and the indication of allowable subject matter recited by claims 4, 6, 7, 11 and 13. In response to the Office Action November 3, 2004, Applicants have canceled claims 10-13 and 15-22, without prejudice or disclaimer. Applicants have amended claim 1 so as to further clarify the claimed subject matter. Claim 23 is also added. Support for these amendments can be found, for example, in Fig. 1 and at page 16, lines 2-8, page 17, line 31 to page 18, line 16 and page 18, lines 17-33 of the specification. No new matter has been added.

For the reasons set forth below, Applicants respectfully submit that all pending claims are patentable over the cited prior art references.

**II. The Rejection Of Claims 1-3, 5 and 8-9 Under 35 U.S.C. § 102**

Claims 1-3, 5 and 8-9 are rejected under 35 U.S.C. § 102 as being anticipated by USP No. 5,656,946 to Sim. Applicants respectfully traverse this rejection for at least the following reasons.

Claim 1, as amended, recites in-part a bias potential generating apparatus comprising: a potential restoration circuit for outputting a potential having a level different from that of the standby potential to the output node for a predetermined time period at the timing of transfer from a power save mode to an operation mode, and a drive control circuit connected to the potential restoration circuit capable of changing the predetermined time period.

However, at a minimum, Sim does not disclose or suggest that the NMOS transistors 33 and the switch circuit 17 (alleged potential restoration circuit) output any potential having a level

different from that of the voltages  $V_{ss1}/V_{ss2}$  for a predetermined time period. Sim also does not appear to discuss or even recognize any power save mode or operation mode.

Furthermore, the inverters 34 and the switching circuit 17 (alleged drive circuit) of Sim are incapable of changing any time period. Thus, the inverters 34 and the switching circuit 17 of Sim do not correspond with the claimed drive circuit.

Accordingly, as anticipation under 35 U.S.C. § 102 requires that each element of the claim in issue be found, either expressly described or under principles of inherency, in a single prior art reference, *Kalman v. Kimberly-Clark Corp.*, 713 F.2d 760, 218 USPQ 781 (Fed. Cir. 1983), and at a minimum, Sim fails to disclose or suggest the foregoing claim elements, it is clear that Sim does not anticipate claim 1 or any of the claims dependent thereon.

**III. All Dependent Claims Are Allowable Because The Independent Claims From Which They Depend Are Allowable**

Under Federal Circuit guidelines, a dependent claim is nonobvious if the independent claim upon which it depends is allowable because all the limitations of the independent claim are contained in the dependent claims, *Hartness International Inc. v. Simplimatic Engineering Co.*, 819 F.2d at 1100, 1108 (Fed. Cir. 1987). Accordingly, as independent claim 1 is patentable for the reasons set forth above, it is respectfully submitted that all claims dependent thereon are also in condition for allowance.

For all of the foregoing reasons, it is submitted that dependent claims 2, 3, 5, 8 and 9 are patentable over the cited prior art. Accordingly, it is respectfully submitted that the rejections of claims 1-3, 5 and 8-9 under 35 U.S.C. § 102 have been overcome.

Furthermore, it does not appear that any of the cited references discloses or suggests the claim elements recited by new claim 23. Thus, it is respectfully submitted that new claim 23 is patentably distinct over the cited prior art.

**IV. Conclusion**

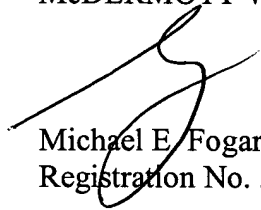
Accordingly, it is urged that the application is in condition for allowance, an indication of which is respectfully solicited.

If there are any outstanding issues that might be resolved by an interview or an Examiner's amendment, the Examiner is requested to call Applicants' attorney at the telephone number shown below.

To the extent necessary, a petition for an extension of time under 37 C.F.R. § 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

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